

# Notice of Allowability

Application No.

10/054,503

Examiner

Mary J. Steelman

Applicant(s)

LAMOTTA ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/07/2006.
2. ☒ The allowed claim(s) is/are 1,4-6,8-14 and 17-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 11/22/2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Mary Steelman*  
Primary Examiner 11-27-2006

### **DETAILED ACTION**

1. This Office Action is in response to Amendments and Remarks received 09/07/2006. Per Applicant's request, claims 1, 9, 10, 13, 14, and 17-19 are amended. Claims 2, 3, 7, 15, 16, and 20 are canceled.

#### ***Claim Rejections - 35 USC § 101***

2. In view of the amendments to independent claims, the prior 35 U.S.C. 101 rejections are hereby withdrawn.

#### ***Claim Rejections - 35 USC § 112***

3. In view of the amendment to claim 14, the prior first paragraph and second paragraph 35 U.S.C. 112 rejections are hereby withdrawn.

### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John S. Golian, Reg. No. 54,702 on 11/22/2006.

The application has been amended as follows:

Claims 1, 9, 13, and 14 are to be amended as follows:

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IN THE CLAIMS:

Claim 1. A method in a computing environment for configuring a product by determining compatibility of parts in a selected product configuration, the method comprising configuring the product by:

receiving a selection of a new part;

determining whether said new part is compatible with one or more existing parts of the product configuration; and

[ if said new part is not compatible with one or more existing parts, determining a replacement part for one of an existing incompatible part and said new part, wherein a replacement part for said new part is determined if said existing incompatible part is a base part, and wherein a replacement part for said new part is determined if said existing incompatible part is an accessory part and an alternative accessory part for said existing incompatible part is not available, and wherein a replacement part for said existing incompatible part is determined if said existing incompatible part is an accessory part and an alternative accessory part is available for said existing incompatible part. ]

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if said selected new part is not compatible with one or more existing parts, a compatible replacement determination for a compatible product configuration selection to be made as follows:

if said new part is incompatible with a base part, deselect said new part, and select a compatible replacement for said new part;

if said new part is incompatible with an existing selected accessory part, and an alternate accessory part is not available, deselect said new part and select a compatible replacement for said new part;

else if said selected new part is incompatible with an existing selected accessory part, and an alternate accessory part is available, deselect said existing accessory part, select said alternate accessory part, and maintain the selection of said new part; and

displaying valid product configuration, comprising said compatible product configuration selections.

Claim 9. A computer system capable of configuring a product by determining the compatibility of parts in a product configuration, the computer system comprising a computer storage medium having a plurality of computer software components embodied thereon, the computer software components comprising:

a compatibility component which determines whether a selected part is compatible with existing parts of the configuration;

a replacement component which determines a replacement part for one of an existing incompatible part and said selected part if a determination of incompatibility is made,

[wherein a replacement part for said selected part is determined if said existing incompatible part is a base part, and wherein a replacement part for said selected part is determined if said existing incompatible part is an accessory part and an alternative accessory part for said existing incompatible part is not available, and wherein a replacement part for said existing incompatible part is determined if said existing incompatible part is an accessory part and an alternative accessory part is available for said existing incompatible part; and

a product configuration component which configures the product using the replacement part determined by the replacement component. ]

wherein a replacement part for said selected part is determined as follows:

if said selected new part is not compatible with one or more existing parts, a compatible replacement determination for a compatible product configuration selection to be made as follows:

if said new part is incompatible with a base part, deselect said new part, and select a compatible replacement for said new part;

if said new part is incompatible with an existing selected accessory part, and an alternate accessory part is not available, deselect said new part and select a compatible replacement for said new part;

else if said selected new part is incompatible with an existing selected accessory part, and an alternate accessory part is available, deselect said existing accessory part, select said alternate accessory part, and maintain the selection of said new part; and

a product configuration component which configures said product, using compatible product configuration selections, and displays a valid product configuration.

Claim 13. A computer storage medium containing a data structure for storing part incompatibility information, wherein the data structure comprises:

a plurality of records in a table, each record including at least two product identification values, said values representing that said products represented by said identification values are incompatible, and

an indication as to product identification values which are suitable replacements for at least one of said product identification values entered in said record[.] ;

said data structure to be used for suitable replacement determination as follows:

if said selected new part is not compatible with one or more existing parts, compatible replacement determination made as follows:

if said new part is incompatible with a base part, deselect said new part, and select a compatible replacement for said new part;

if said new part is incompatible with an existing selected accessory part, and an alternate accessory part is not available, deselect said new part and select a compatible replacement for said new part;

else if said selected new part is incompatible with an existing selected accessory part, and an alternate accessory part is available, deselect said existing accessory part, select said alternate accessory part, and maintain the selection of said new part; and

said data structure to be used in the determination of a valid product configuration for display.

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Claim 14. A computer storage medium containing computer-useable instructions embodied thereon, the computer-useable instructions for causing a computing, device to perform a method for configuring a product by determining compatibility of parts in a selected product configuration, wherein the method comprises configuring a product by:

receiving a selection of a new part;

determining whether said new part is compatible with one or more existing parts of the product configuration; and

if said new part is not compatible with one or more existing parts, [determining a replacement part for one of an existing incompatible part and said new part, wherein a replacement part for said new part is determined if said existing incompatible part is a base part, and wherein a replacement part for said new part is determined if said existing i, incompatible part is an accessory part and an alternative accessory part for said existing incompatible part is not available, and wherein a replacement part for said existing incompatible part is determined if said existing incompatible part is an accessory part and an alternative accessory part is available for said existing incompatible part.]

a compatible replacement determination for a compatible product configuration selection to be made as follows:



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if said selected new part is not compatible with one or more existing parts,  
a compatible replacement determination for a compatible product configuration selection to be  
made as follows:

if said new part is incompatible with a base part, deselect said new part, and select a  
compatible replacement for said new part;

if said new part is incompatible with an existing selected accessory part, and an alternate  
accessory part is not available, deselect said new part and select a compatible replacement for  
said new part;

else if said selected new part is incompatible with an existing selected accessory part, and  
an alternate accessory part is available, deselect said existing accessory part, select said alternate  
accessory part, and maintain the selection of said new part; and

displaying valid product configuration, comprising said compatible product configuration  
selections.

THE END

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5. Claims 1, 4-6, 8, 9-14, and 17-19 (to be renumbered in order) are allowed.

The following is an examiner's statement of reasons for allowance:

Independent claims 1, 9, 13, and 14 are provide a (Remarks, page 15, last line) preference for particular parts when incompatibilities between selected parts are determined. The preference in deciding which part to replace, is to replace existing non-base component parts with suitable replacement parts that are compatible with the newly selected part (and maintain the choice of the newly selected part). However, in the case where the newly selected part is incompatible with the base component, then the system will provide an alternative newly selected part to the customer for selection.

Lichtenberg, and other cited prior arts taken alone or in combination, fails to teach or suggest all limitations of independent claims 1, 8, 13, and 14, including:

“if said selected new part is not compatible with one or more existing parts, a compatible replacement determination for a compatible product configuration selection to be made as follows:

if said new part is incompatible with a base part, deselect said new part, and select a compatible replacement for said new part;

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if said new part is incompatible with an existing selected accessory part, and an alternate accessory part is not available, deselect said new part and select a compatible replacement for said new part;

else if said selected new part is incompatible with an existing selected accessory part, and an alternate accessory part is available, deselect said existing accessory part, select said alternate accessory part, and maintain the selection of said new part; and

displaying valid product configuration, comprising said compatible product configuration selections.”

Moreover, evidence for modifying the prior art teachings by one of ordinary skill level in the art was not uncovered so as to result in the invention as recited.

Thus, all remaining dependent claims, claims 4-6, 8, 10-12, and 17-19 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Conclusion***

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached at (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman

11/22/2006

*Mary Steelman*  
*Primary Examiner*